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C O N F I D E N T I A L SECTION 01 OF 02 HANOI 001251

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [VM](#)
SUBJECT: LE QUOC QUAN MEETING

REF: A. A) HANOI 1112
[1](#)B. B) HANOI 1131

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Classified By: Ambassador Marine for Reasons 1.4 (B,D)

[1](#)1. (C) Summary: On July 11, PolOffs met with attorney, former detainee and recent NED Fellow Le Quoc Quan at his law office in Hanoi. Quan was extremely happy to receive officials from the Embassy and appeared very healthy. Quan's daily, lengthy interrogations in prison focused on his relationship with the National Endowment for Democracy (NED) and the Vietnam Reform Party in the United States. Per GVN regulations, he is technically subject to further criminal investigation and re-arrest at any time for the next 20 months, but otherwise he is free to move about Hanoi and take trips to his home province. Despite being disbarred, he wishes to remain active on legal reform, human rights and democracy issues in Vietnam. End Summary.

[1](#)2. (C) Poloffs' meeting with Quan took place in his Hanoi law office and was our first face-to-face contact with him since his June 16 release from detention. Quan was detained on March 8, 2007, for violating Article 79 of the GVN criminal code: "crimes of infringing upon national security," including "carrying out activities aimed at overthrowing the people's administration." Quan was arrested four days after his return from the United States, where he had been a National Endowment for Democracy (NED) Regan-Fascell Fellow for approximately four months.

[1](#)3. (C) Quan appeared to be in good health and stated he feels fine. He explained that he is "out on bail" and must still "work with the police" under his release order. When asked by Poloffs to clarify the terms of his release, Quan stated that, according to Vietnamese criminal procedure, the police have four months to conduct an initial investigation. If authorities are unable to gather a certain amount of evidence, they can either end the investigation or extend it for another four months (for a maximum of 24 months). The "four month rule" ended on July 8, but Quan is not aware if the police decided to extend the investigation. He plans to use his legal expertise to challenge authorities on their lack of evidence and will request that the investigation be brought to an end. Quan believes that authorities will not re-arrest him as long as he maintains a low profile. In theory, under GVN regulations, he may be under investigation and subject to re-arrest at any time over the next 20 months.

[1](#)4. (C) When asked about post-arrest restrictions, Quan replied that he is free to leave Hanoi as he just returned from his home province of Nghe An. He was asked to sign a

form upon his release, committing not to speak to journalists; however, he refused to sign it citing his constitutional rights. Since his release he has been visited twice by police who asked him to report on his work. His home and office are closely monitored by plainclothes security agents, which was evident to PolOffs. Quan told us that despite Ministry of Public Security (MPS) surveillance, he wants to remain active in democracy, human rights and legal reform issues. He did express some concern about possibly being physically harmed by MPS agents in the future, as this has happened to other activists in Vietnam.

15. (C) Quan highlighted the intense interrogation tactics used by government authorities during his detention. "For over a month, I was forced to answer questions from 4 a.m. to 11 p.m. Sometimes they would not allow me anything to eat or drink during that time." After a month he went on a hunger strike and refused to answer questions. His fast lasted four days when authorities changed tactics and became more lenient. During interrogation sessions, authorities focused on articles and papers Quan had drafted calling for greater political reform and on his work with the Vietnam Reform Party and NED. Authorities were very curious about his work with NED and asked him to reveal how NED "plans to overthrow the government." The authorities continually said that NED was responsible for organizing the 1989 Tiananmen Square demonstrations and the color revolutions in Europe. They also wanted to know about any organizations or programs NED is funding in Vietnam. Quan told authorities that NED is a "peaceful organization" and only wants a "stable Vietnam."

16. (C) When asked why he believes he was arrested, Quan replied that during his stay in the United States he gave a lecture at George Washington University and a presentation at NED's headquarters in which he cited his own research calling for greater political freedom. When Quan was later invited to give a speech and lead a discussion at SAIS, he was warned

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indirectly by Vietnamese Embassy officials that "the Embassy is angry" and "it would be better for his health that he stop talking about Vietnam." Quan made the choice to cancel the speech. He recalled that an individual portraying himself as a scholar from Japan attended one of the two presentations. He distinctly remembered hearing this person speaking excellent Vietnamese during a side conversation. The same individual was later present when Quan was arrested on his return to Vietnam and subsequently came to the prison to interrogate him. Prison officials referred to this individual as "Mr. Hai or Mr. Tai."

17. (C) When asked if he had been in contact with any of his former colleagues, Quan responded that when he opened his second office in Ho Chi Minh City back in 2006, he invited Nguyen Ngoc Quang, Dr. Le Nguyen Sang, Pham Ba Hai, Tran Quoc Hien and Tran Thi Thuy Trang - all of whom have since been detained or are serving prison sentences. He expressed regret for Tran Thi Thuy Trang, a labor activist, and said, "She is not very political and only wanted to help poor and needy people." Trang's father has been able to see her in prison, but Quan is worried that her attorney is an MPS agent.

18. (C) Quan has been disbarred but plans to support his family by working as a consultant for the World Bank. While he remains cautious, Quan said he will not stop pressing for human rights and democracy. He stated that reformers in the government see his release and the release of others as a positive sign that things are changing. "More people throughout Vietnam, even in the rural areas, are aware of their rights and willing to make the sacrifice to challenge the government." Quan believes the Internet has helped expose the truth about Vietnam around the world and that people are now "less scared." In his opinion, the Communist Party's hold on power is weakening. There is an internal battle between pro-West reformists and pro-China conservatives, and he believes this is a good time for

foreign governments, especially the United States and EU, to continue to press Vietnam on human rights and democracy. Before concluding the meeting, Quan presented PolOffs with a letter thanking the Embassy for their assistance in helping Quan to gain his freedom.

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